

REMITTUR HELD UP

IN THE FRANK CASE

Condemned Man Will Not Be Resentenced Before Next Tuesday.

A plea to Justice Lamar, of the U. S. Supreme Court, to so far modify his refusal to issue a Writ of Error in the Frank Case so that the Application for the writ might be referred to the entire Supreme Court Bench was made by Harry Alexander, Counsel for the convicted man, in Washington yesterday afternoon.

No action in this respect has been taken by the Justice, however. His decision is expected to be made known today. So intent are they upon having the Case reviewed by the complete United States Bench that Atlanta representatives of Frank's Counsel have succeeded in having the State Supreme Court

delay the remittitur in the Case so that the date of the doomed man's resentencing will be delayed as long as possible.

The remittitur, although due yesterday, will not be handed down to the Superior Court until Monday. It is expected, therefore, that Frank will be brought before Judge John T. Pendleton or Judge George L. Bell for the fixing of the hanging date on Tuesday morning.

Although no definite steps have been taken, it is said that Frank's Attorneys are already preparing for a fight before the State Prison Board, through which channels their plea to rescue their Client from the gallows will be carried to Governor John M. Slaton.

No Action Taken.

Washington, November 25.—Whether Justice Lamar, of the United States Supreme Court, would modify his refusal to issue a Writ of Error for the Supreme Court to review the conviction of Leo M. Frank for the murder of Mary Phagan, at Atlanta, Ga., was not known here tonight. Henry Alexander, Frank's Attorney, asked the justice today to modify his refusal, but tonight Alexander declined to say with what success his request had met. Alexander said he had asked Justice Lamar to make no statement concerning the matter.
